

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SAMUEL LEVINE,

Plaintiff,

v.

CITY OF SEATTLE, et al.,

Defendants.

C16-1284 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Defendants' motion to strike and to dismiss, docket no. 14, is GRANTED in part and DENIED in part as follows:

- (a) The motion under Rule 12(f) to dismiss is DENIED;
- (b) The motion under Rule 12(b)(6) to dismiss is DENIED;
- (c) The motion under Rule 12(b)(1) to dismiss for lack of standing, prospective declaratory and injunctive relief, is GRANTED. *See City of Los Angeles v. Lyons*, 461 U.S. 95, 101 (1983). Those claims for prospective declaratory and injunctive relief are DISMISSED without prejudice;
- (d) The Court strikes paragraphs 57, 96, 105, 106, 110, and 111 of plaintiff's first amended complaint as immaterial and prejudicial. Except as stricken, the Court DENIES the balance of the motion to strike as frivolous; and

1 (e) Defendants' motion to strike Mr. Williams' declaration and  
2 supporting exhibits, docket no. 20, as well as footnotes 1-8 of  
plaintiff's response, is STRICKEN as moot.

3 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
4 record.

5 Dated this 7th day of March, 2017.

6 William M. McCool

Clerk

7 s/Karen Dews

8 Deputy Clerk  
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